


PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference ONEEW/P32192PC		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/CB2004/005173		International filing date (day/month/year) 09.12.2004		Priority date (day/month/year) 09.12.2003
International Patent Classification (IPC) or national classification and IPC G01R11/56				
Applicant ONE CLICK TECHNOLOGIES LTD ET AL				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 9 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 5 sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input checked="" type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 07.10.2005		Date of completion of this report 09.03.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901-0 Fax: +49 30 25901-840		Authorized Officer Holler, H Telephone No. +49 30 25901-629		



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**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**International application No.
PCT/GB2004/005173**Box No. 1 Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-10 as originally filed

Claims, Numbers

1-32 received on 10.10.2005 with letter of 07.10.2005

Drawings, Sheets

1/2, 2/2 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☒ the claims, Nos. 1,23
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
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PCT/CB2004/005173**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Yes: Claims	1-32
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-32
Industrial applicability (IA)	Yes: Claims	1-32
	No: Claims	

2. Citations and explanations (Rule 70.7):**see separate sheet****Box No. VII Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

see separate sheet

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Re Items I, V and VII**Reasoned statement with regard to clarity, novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

- 1) Reference is made to the following documents:

D1: US-A-4 644 320

D2: WO-A-03 025 878

- 2) The amendments filed with the letter dated 7.10.2005 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT. The amendments concerned are the following:

The applicant has introduced the feature of "...**automatically** receiving... streams" into **claims 1** (lines 12-13) and **23** (line 11). No basis in the application as filed could be found which would support that introduction. This feature therefore introduces subject-matter which extends beyond the content of the application as filed, contrary to Article 34(2)(b) PCT.

- 3) The application does not meet the requirements of Article 6 PCT, because claims 1 and 23 are not clear.

- 3.1) The terms "a receiver for **automatically** receiving..." and "**automatically** receiving... by a receiver" used in **claims 1** and **23** are vague and unclear and leave the reader in doubt as to the meaning of the technical feature to which they refer, thereby rendering the definition of the subject-matter of said claims unclear. As it is a common feature of a receiver to automatically receive a signal, and a means for blocking of signals would be needed to prevent a common receiver from receiving a signal which it was designed to receive, it leaves the reader in doubt as to which means is meant to be needed to make a receiver "automatically" receiving, Article 6 PCT.

- 3.2) The term "remote display controller" used in **claim 1** leaves the reader in doubt as to the meaning of the technical feature to which it refers, as it is not clear in relation to which other means the display controller is remotely located, Article 6 PCT.

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3.3) "A signal" is defined twice in **claim 1** (lines 5 and 7) and therefore it is unclear to the reader whether two different features (i.e. signals) are meant. If only one feature would be meant a formulation like "...generate a signal... ..receive **the** signal..." would be expected, Article 6 PCT.

3.4) The mixture of singular and plural terms used in **claims 1** and **23** - like "a data transmission stream" and "a plurality of data transmission streams", "one or more electrical measurement devices" and "each device"/"the electrical measurement device" or "one or more data controllers" and "each data controller" - leaves the reader in doubt of whether the singular and plural terms are related to the same features or whether the plurality (i.e. the number) of those features is optional or not. A formulation like e.g. "at least one..." or "each of **the** one or more..." would be expected by the reader, Article 6 PCT.

4) Furthermore, the above-mentioned lack of clarity notwithstanding, the subject-matter of **claims 1** and **23** does not involve an inventive step in the sense of Article 33(3) PCT, and therefore the criteria of Article 33(1) PCT are not met.

4.1) The document **D1** is regarded as being the closest prior art to the subject-matter of **claim 1**, and insofar as this claim can be understood, this document shows the following features thereof (the references in parentheses applying to this document):

- A power consumption monitoring apparatus (14 in figures 1 and 2) comprising:
 - one or more electrical measurement devices (14 in Figure 1; 38, R3 and U2 in Figure 2; column 5 line 53-column 6 line 21, column 7 lines 26-32)
 - each device adapted to generate a signal indicative of the electrical power passing through an electrical power line at the location of the measurement device (38, R3 and U2 in Figure 2; column 5 line 53-column 6 line 21, column 7 lines 26-32)
 - one or more data controllers, each adapted to receive a signal from a respective electrical measurement device and to convert the signal into a data transmission stream conveying (U3, U4 in Figure 2; column 6 lines 31-39 and 55-58)

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- at least one power consumption statistic (column 3 lines 17-20 and column 6 line 27-30)
- each data controller including:
 - a transmitter for transmitting the data transmission stream across (U7 in Figure 2 and column 6 lines 55-58)
 - a communications medium (18 in Figure 1 and column 6 lines 55-58)
 - a remote display controller (22 and 24 in Figure 1 remote from 14)
- including:
 - a receiver for automatically receiving a plurality of data transmission streams from the communications medium (22 in Figure 1)
 - the display controller being adapted to convert the power consumption statistics into one or more data display transmission signals (column 3 lines 33-41)
 - including an interface compatible with and suitable for providing the data display transmission signals (implicit in the interface arrow between 24 and 28 in Figure 1 indicating the providing of data display signals to a display device)
 - to thereby display the power consumption statistics (28 in Figure 1; figures 6-15)

- 4.1.1) The document **D2** could also be considered as closest prior art to the subject-matter of claim 1, showing the same features as **D1** (see **D2**: figures 1, 3, 4; page 1 paragraphs 3-5, page 5 paragraphs 2-4, page 10 paragraph 3-page 11 paragraph 4, page 12 paragraphs 2, 5, page 16 paragraph 4 and page 19 last paragraph-page 20 first paragraph - showing that the display controller could be remote and that a proximity to the measurement device is not necessarily needed, as a transmission over an external communication medium is disclosed),

The subject-matter of claim 1 therefore differs from those known power consumption monitoring apparatuses in that a television is used to display the power consumption statistics.

It is however generally known to the person skilled in the art that a television is an equivalent to the undefined display device or the LCD screen of documents **D1** or **D2**.

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and can be interchanged with those features where circumstances make it desirable. The choice of a television out of a variety of several straightforward possible display devices comes within the scope of the customary practice followed by persons skilled in the art, in accordance with circumstances, without the exercise of inventive skill.

Consequently, the subject-matter of **claim 1** lacks an inventive step in the sense of Article 33(3) PCT.

4.2) The document D1 is further regarded as being the closest prior art to the subject-matter of **claim 23**, and insofar as this claim can be understood, this document shows the following features thereof (the references in parentheses applying to this document):

- A method of monitoring power consumption (column 2 lines 28-34) comprising the steps of:
 - generating in each of one or more electrical measurement devices a signal indicative of the electrical power passing through an electrical power line at the location of the electrical measurement device (14 in Figure 1; 38, R3 and U2 in figures 2; column 5 line 53-column 6 line 21, column 7 lines 26-32)
 - receiving a signal from a respective electrical measurement device at each of one or more data controllers and converting the signal into a data transmission stream conveying at least one power consumption statistic (R8, C1, U3 and U4 in Figure 2; column 6 lines 27-39 and column 3 lines 17-20)
 - transmitting the plurality of data transmission streams across a communications medium (U7 in Figure 2; 18 in Figure 1; column 2 lines 28-34 and column 6 lines 55-58)
 - automatically receiving the plurality of data transmission streams from the communications medium by a receiver in a display controller (22 in Figure 1)
 - converting the power consumption statistics into one or more different data display transmission signals (24 in Figure 1; column 3 lines 33-41)
- providing the data display transmission signals via an interface compatible with and suitable for providing the data display transmission signals (implicit in the interface arrow between 24 and 28 in Figure 1 indicating the providing of data display signals to a display device)

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- thereby display the power consumption statistics (22, 24 and 28 in Figure 1; figures 12-15; column 3 lines 33-41)

- 4.2.1) The document **D2** could also be considered as closest prior art to the subject-matter of claim 23 showing the same features as **D1** (see **D2**: figures 1, 3, 4; page 1 paragraphs 3-5, page 5 paragraphs 2-4, page 10 paragraph 3-page 11 paragraph 5, page 12 paragraphs 2, 5, page 16 paragraph 4 and page 19 last paragraph-page 20 first paragraph - showing that the display controller could be remote and that a proximity to the measurement device is not necessarily needed, as a transmission over an external communication medium is disclosed)

The subject-matter of claim 23 therefore differs from those known methods of monitoring power consumptions in that a television is used to display the power consumption statistics.

For the same reasons as explained under point 4.1) the subject-matter of **claim 23** could not be considered as involving an inventive step in the sense of Article 33(3) PCT.

- 5) Dependent claims 2-22 and 24-32 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:

- 5.1) The additional features of **claims 2-5 and 26** are known from **D1**: (see figures 1, 2; column 2 lines 41-50, column 2 line 62-column 3 line 3 and column 7 lines 33-49), Article 33(3).
- 5.2) The additional feature of **claim 6** is known from **D1**: (see U3, U4 in Figure 2 and 14 in figures 1 and 2), Article 33(3).
- 5.3) The additional features of **claims 7-9 and 24** are either known from **D2**: (see 105, 128 and 108 in Figure 4; page 19 paragraph 2, page 21 paragraphs 1 and 2) or can not be considered as involving an inventive step. The feature of the

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specific communication used is merely a choice of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to remotely locate the electrical measurement device to the data controller, Article 33(3).

- 5.4) The additional features of **claims 10, 11, 31 and 32** are known from **D1**: (see 19 and U4 in Figure 2 and column 5 lines 39-45), Article 33(3).
- 5.5) The additional feature of **claims 12 and 30** is known from **D2**: (see page 15 paragraph 3), Article 33(3).
- 5.6) The additional features of **claims 13-14 and 25** are known from **D2**: (see Figure 1; page 5 paragraph 3, page 11 paragraph 5, page 19 paragraph 4-page 20 paragraph 1), Article 33(3).
- 5.7) The additional feature, concerning the type of interface used, as claimed in **claims 15-19** is either implicitly disclosed in the "personal computer" of paragraph 3 on page 5 of **D2**, as an USB interface is nowadays standard on such a device, or can not be regarded as involving an inventive step. The "display" of paragraph 5 on page 11 of **D2** may well be a television set. The adaption of the interface to address such a device comes within the scope of the customary practice followed by persons skilled in the art, Article 33(3).
- 5.8) The additional features of **claims 20-22 and 27-29** are known from **D1**: (see 25, 24, 28 in Figure 1, figures 6, 14 and 15; column 8 lines 31-34 and column 9 lines 3 10), Article 33(3).
- 5.9) The additional feature of **claim 22** is known from **D1**: (see U3, U4 in 14 of Figure 2 and 22, 24 in 12 of Figure 1; column 3 lines 23-25), Article 33(3).

5/20/06